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SENATE COMMITTEE ON COMMERCE AND CONSUMER PROTECTION

April 1, 2015, 9:30 A.M., Room 229

(Testimony is 1 page long)

TESTIMONY IN SUPPORT OF HB 1273 HD2 SD1

Aloha Chair Baker, Vice-Chair Taniguchi, and members of the Committee:

The Blue Planet Foundation supports HB 1273. This bill can help to clear the path for clean hydroelectric power, with the dual benefit of supporting agriculture.

We note that bill is limited in its support for hydro power, only allowing for generation up to 500 kilowatts. We believe that this specification may be too limiting, particularly since hydro power is a non-consumptive use of water. The bill requires that all such projects conform with Water Commission regulations; to the extent that instream flow can support power greater than 500 kilowatts, an artificial cap will limit the amount of clean power that farmers can generate. Any such cap should not be specified in statute. The approved size of a given project should instead should be evaluated in a site-specific manner in light of Water Commission and other applicable regulations.

We also note that the use of the phrase "accessory" to agricultural activities may be too vague (Section 3, H.R.S. § 205-4.5(a)(23)(C)). A more appropriate standard would be to require that these projects "support" agricultural activities. Non-consumptive hydro power may, at times, exceed the instantaneous consumption by the farmer, and the ability to generate excess power can be an asset that even further supports local agriculture.

In the interest of support local power and local food, we respectfully request that you forward this bill, with these two amendments.

Thank you for the opportunity to testify.